

ORDER NO. 2049

UNITED STATES OF AMERICA
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Before Commissioners:

Ruth Y. Goldway, Chairman;
Mark Acton, Vice Chairman; and
Robert G. Taub

Market Dominant Product Prices
Standard Mail
PHI Acquisitions, Inc.

Docket No. MC2014-21

Market Dominant Product Prices
PHI Acquisitions, Inc. (MC2014-21)
Negotiated Service Agreement

Docket No. R2014-6

ORDER EXTENDING COMMENT DEADLINES

(Issued April 14, 2014)

On March 7, 2014, Order No. 2009 established the procedural schedule for this proceeding, requiring comments be filed no later than March 27, 2014 and reply comments be filed no later than April 3, 2014.¹ On March 19, 2014, Chairman's Information Request No. 1 was issued and requested responses no later than March 25, 2014.² The Postal Service filed partial responses to CHIR No. 1 on March 26,

¹ Notice and Order Concerning Addition of PHI Acquisitions, Inc. Negotiated Service Agreement to the Market Dominant Product List, March 7, 2014, at 6 (Order No. 2009).

² Chairman's Information Request No. 1, March 19, 2014 (CHIR No. 1).

2014.³ On March 21, 2014, Chairman's Information Request No. 2 was issued and requested responses no later than March 26, 2014.⁴ The Postal Service filed partial responses to CHIR No. 2 on March 27, 2014.⁵

On March 27, 2014, the Public Representative filed a motion requesting extension of the comment deadlines.⁶ In response, the Postal Service stated that it did not oppose the Public Representative's motion and represented that it expected to file the outstanding responses to CHIR Nos. 1 and 2 by April 4, 2014.⁷ Based on that representation, the Commission granted the Motion for Extension and extended the deadline for initial comments to April 8, 2014.⁸

The outstanding responses to CHIR Nos. 1 and 2 were not filed until April 8, 2014.⁹ In the accompanying Motions for Late Acceptance, the Postal Service states that it does not oppose an additional brief extension of the comment deadlines established in Order No. 2039 and expects the revised deadlines for initial and reply

³ Response of the United States Postal Service to Chairman's Information Request No. 1, March 26, 2014 (Response to CHIR No. 1). On March 27, 2014, PHI Acquisitions, Inc. filed a response to questions 2. See Response of PHI Acquisitions, Inc. to Chairman's Information Request No. 1, March 27, 2014.

⁴ Chairman's Information Request No. 2, March 21, 2014 (CHIR No. 2).

⁵ Response of the United States Postal Service to Chairman's Information Request No. 2, March 27, 2014 (Response to CHIR No. 2).

⁶ Public Representative's Answer to Postal Service Motion for Late Acceptance and Motion for Extension of Comment Deadlines, March 27, 2014 (Motion for Extension).

⁷ Response of the United States Postal Service to Public Representative Motion for Extension of Comment Deadlines, April 3, 2014, at 1.

⁸ Order Granting Motion for Extension of Comment Deadlines, April 4, 2014 (Order No. 2039). The deadline for reply comments was extended to April 15, 2014. *Id.*

⁹ Responses of the United States Postal Service to Chairman's Information Request No. 1, Questions 10 and 11, April 8, 2014; Response of the United States Postal Service to Chairman's Information Request No. 2, Question 1, April 8, 2014. The responses were accompanied by motions for late acceptance. See Motion of the United States Postal Service for Late Acceptance of the Responses to Chairman's Information Request No. 1, Questions 10 and 11, April 8, 2014; Motion of the United States Postal Service for Late Acceptance of the Response to Chairman's Information Request No. 2, Question 1, April 8, 2014 (collectively, Motions for Late Acceptance). These motions are granted.

comments to be April 10, 2014 and April 17, 2014, respectively. Motions for Late Acceptance at 2.

The complete responses to CHIR Nos. 1 and 2 include revisions to the financial workpapers that account for the rates that went into effect on January 26, 2014. The revised workpapers require clarification to enable the Commission to determine the proposed new product's consistency with 39 U.S.C. §§ 3622 and 3642. Accordingly, an information request was issued April 11, 2014.¹⁰ To allow interested persons the opportunity to address the additional information sought in the information request, the deadline for initial comments is extended to April 23, 2014. The deadline for reply comments is extended to April 30, 2014.

The Commission is mindful that the Postal Service and contract partner seek prompt Commission review.¹¹ The Postal Service's late and incomplete responses to information requests in this proceeding have necessitated an extension of the comment deadlines by nearly four weeks and thus delayed the proceeding. For the Commission to conclude its review in timely fashion, *i.e.*, sufficiently before the proposed implementation date of the contract to afford the contract partner some lead time, it is imperative that the Postal Service file complete, accurate, and timely responses to information requests. If the Postal Service is unable to respond to an information request by the deadline, it should make every effort to notify the Commission prior to the deadline rather than file late or incomplete responses.

It is ordered:

1. The deadline for initial comments is extended to April 23, 2014.

¹⁰ Chairman's Information Request No. 3, April 11, 2014.

¹¹ See, *e.g.*, Response of the United States Postal Service to Public Representative Motion for Extension of Comment Deadlines, April 3, 2014.

2. The deadline for reply comments is extended to April 30, 2014.

By the Commission.

Shoshana M. Grove
Secretary